

REMARKS

Claims 1-6 and 21-24 were cancelled previously. Claims 7-20, 25 and 26 are rejected in the current Office Action.

In the Office Action, the inherency argument made by the Examiner is improper. Boxer is cited as the primary 103 reference, but lacks two elements.

- 1.) "Boxer does not appear to explicitly disclose arrays of adjacent membrane corrals."
- 2.) "Boxer does not appear to explicitly teach different proteins as dopants that are different [from] the dopant from at least one other corral."

The Examiner looks to the prior art to find these two elements, the first missing element in Cremer and the second one in Grakoui.

Under MPEP 2112 the Examiner must provide a rationale or evidence tending to show inherency. Under MPEP 2112 IV the fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic. Further, those missing elements are not actually in Cremer and Grakoui, although the Examiner attempts to show that they are.

Cremer shows selective incorporation of a protein receptor into dyed membranes in glass wells. The reference does not disclose arrays of adjacent membrane corrals, especially since a corral is a barrier on a flat surface, and Cremer uses glass wells.

In Grakoui, antigen presenting cells are replaced with planar bilayers of MHC-peptide and ICAM-1. But, Grakoui does not have missing element #1 (adjacent membrane corrals), and thus cannot support element #2 – membrane proteins used as dopants from at least one other corral. There are no corrals in Grakoui.

Thus, although according to the Examiner, Boxer does not appear to "explicitly disclose arrays of adjacent membrane corrals" and does not appear to specifically teach "different membrane protein dopants in different corrals", the cited art (Cremer and Grakoui) does not make those missing elements inherently present or possible in Boxer.

"Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient.'

The Boxer system does not explicitly disclose Applicants invention, and the cited secondary art does not support inherency.

CONCLUSION

Unless or until Examiner makes a proper rejection, all claims are allowable.
Accordingly, Applicant requests passing the pending claims to issue. If a telephone conference would expedite prosecution, the Examiner is encouraged call the undersigned at (510) 495-2456.

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Respectfully submitted,

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